

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
3

4 BARRY GARFINKLE and EMILY
5 GARFINKLE,

No. C 11-01636 CW

6 Plaintiffs,

7 ORDER DISMISSING
8 CASE FOR FAILURE
9 TO PROSECUTE

v.

10 JPMORGAN CHASE BANK, et al.,

11 Defendants.

12 On July 26, 2011, the Court granted Defendants' motion to
13 dismiss and granted Plaintiffs leave to amend their claims for
14 breach of contract and violation of California Civil Code
15 § 2923.5, within fourteen days from the date of the order. The
16 Court explained that, if Plaintiffs did not file their amended
17 complaint within this time period, their action would be dismissed
18 for failure to prosecute.

19 On July 27, 2011, Glen Moss, Plaintiffs' counsel, wrote a
20 letter to the Court requesting that he be given an extension of
21 time, up to August 18, 2011, to file an amended complaint.

22 More than one week has passed since August 18, 2011 and
23 Plaintiffs have not filed an amended complaint. Therefore, this
24 action is dismissed for failure to prosecute.

25 IT IS SO ORDERED.

26 Dated: 8/26/2011

27 
28 CLAUDIA WILKEN
United States District Judge